

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST  
LITIGATION

No. M 07-1827 SI  
MDL No. 1827

This Order Relates to:

**ORDER RE: JOINT CASE  
MANAGEMENT STATEMENT**

*Best Buy v. AU Optronics Corp. et al*,  
Case No. 10-CV-4572,

*Best Buy v. Toshiba Corp. et al*  
Case No. 12-CV-4114

*Costco Wholesale Corporation v. AU Optronics  
Corp. et al.*, Case No. 11-CV-00058

*Electrograph Systems, Inc. v. Epson Imaging  
Devices Corp. et al.*, Case No. 10-CV-00117

*Eastman Kodak Company v. Epson Imaging  
Devices Corp. et al.*, Case No. 10-CV-5452

*Motorola Mobility Inc. v. AU Optronics Corp. et  
al.*, Case No. 09-CV-5840

*Target Corp, et. al., v. AU Optronics Corp. et al.*,  
Case No. 10-CV-4945

On March 15, 2013, the Court held a case management conference for the Track 1B and Track 2 cases. The Court informed the parties that the Track 1B trial date would be moved to July 22, 2013, and instructed the parties to meet and confer about a revised pre-trial schedule based on this new trial date. The parties have submitted a Supplemental Joint Case Management Conference Statement, which provides a revised pre-trial schedule and raises new disputes in the scheduling. The Court addresses these issues below.

**1. Witness Lists, Exhibit Lists, Written Discovery Designations, and Deposition Designations**

The parties acknowledge that, as discussed at the conference, the Court favors a staggered approach with respect to the exchange of witness lists, exhibit lists, written discovery designations, and deposition designations. The parties dispute, however, “the dates and structure of supplemental disclosures and designations in the Track 1B cases.” Plaintiffs propose three exchanges: Plaintiffs’ initial exchange, Defendants’ initial exchange, and Plaintiffs’ supplemental exchange.<sup>1</sup> Defendants agree with the dates for the first two rounds of Plaintiffs’ proposed schedule, but propose moving up the date of Plaintiffs’ supplemental exchange and including a supplemental round of Defendant designations.

The Court agrees with Defendants that the staggered schedule should afford Plaintiffs and Defendants each two full rounds of designations and instructs the parties to stipulate to a revised schedule based on this conclusion. Issues remaining at the conclusion of these rounds may be addressed at the pre-trial conference.

**2. Best Buy v. Toshiba Schedule**

Best Buy and Toshiba request an Order from the Court approving their proposed revised schedule as to summary judgment and *Daubert* motions. The Court approves the schedule with one exception: the hearing date will be moved to **June 19, 2013, at 3:30 pm.**

**3. Other Pre-trial dates**

As instructed by the Court at the conference, the parties provide a revised pre-trial schedule based on a trial date of July 22, 2013. The Court approves the revised pre-trial schedule to which the parties have stipulated, with one exception: the date for the *Daubert* hearing will be **June 12, 2013, at 9 am.**

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<sup>1</sup>In response to Defendants’ concern that Plaintiffs may designate new material in their supplemental designation, Plaintiffs assert that the issue can be raised at the pre-trial conference.

1 The Court directs the parties to file a stipulation providing a revised schedule of all pre-trial dates  
2 in accordance with this Order.

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4 **IT IS SO ORDERED.**

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6 Dated: April 2, 2013

  
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SUSAN ILLSTON  
United States District Judge